

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

Robert Lewis, Jr., on behalf of
himself and all others similarly
situated,

Plaintiff,

V.

4th Ave. Marketing, LLC

Defendant.

CIVIL ACTION FILE
NO. 1:25-cv-2764-SCJ

**CONSENT MOTION FOR EXTENSION OF TIME TO ANSWER OR
OTHERWISE RESPOND TO CLASS ACTION COMPLAINT**

COMES NOW, Defendant 4th Ave. Marketing, LLC (“4th Ave.” or “Defendant”), and pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), respectfully requests that the Court enter an Order extending the time for Defendant to answer the Class Action Complaint through and including July 3, 2025. In support of this Motion, Defendant shows the Court as follows:

1. On May 18, 2025, Plaintiff filed its Class Action Complaint, alleging violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 on behalf of a national class. Defendant was served with the Complaint on May 29, 2025.

2. Defendant's Answer to the Class Action Complaint is currently due on June 20, 2025.

3. After receiving the Complaint, Defendant engaged with counsel for Plaintiff to attempt to reach an early resolution to this matter, but so far they have been unable to do so. Accordingly, Defendant, and Defendant's lead counsel, are not located in Georgia, and just recently engaged Georgia counsel to assist with this matter. Counsel requests an extension to allow them to investigate the facts of this nationwide class action, including the potential for mandatory arbitration, and prepare a response. Counsel for Plaintiff has expressly consented to this extension. By seeking this extension, Defendant does not waive, and expressly preserves its right to move to compel arbitration.

WHEREFORE, Defendant respectfully requests that this Motion be granted and the Court enter an Order providing that Defendant may answer the Class Action Complaint by two weeks, up to and including July 3, 2025. A proposed Order is attached.

Respectfully submitted this 19th day of June, 2025.

WEINBERG, WHEELER, HUDGINS,
GUNN & DIAL, LLC

By: /s/ Jennifer A. Adler

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*Attorneys for Defendant 4th Ave.
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RULE 7.1D CERTIFICATE OF TYPE, FORMAT AND FONT SIZE

Pursuant to Local Rule 7.1D of the United States District Court of the Northern District of Georgia, the undersigned certifies that the foregoing submission to the Court was computer-processed, double-spaced between lines, and used Times New Roman font of 14 point size.

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Marketing, LLC*

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused a copy of the within and foregoing to be served on counsel for Plaintiffs by electronically filing the same with the Court via the CM/ECF system, with the Clerk of Court providing notice to the following counsel of record:

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(Pro Hac Vice Application to be filed)

This 19th day of June, 2025.

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